

AMENDED IN SENATE APRIL 18, 2005

SENATE BILL

No. 569

Introduced by Senator Torlakson

February 18, 2005

An act to add ~~Article 5 (commencing with Section 89090)~~ and repeal Article 5 (commencing with Section 89090) of to Chapter 1 of Part 55 of, and to add and repeal Article 4 (commencing with Section 92630) ~~to~~ of Chapter 6 of Part 57 of, the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 569, as amended, Torlakson. Public postsecondary education: California State University and University of California: disclosure of alumni names and addresses.

Existing law establishes the California State University, administered by the Trustees of the California State University, and the University of California, administered by the Regents of the University of California, as 2 of the segments of public postsecondary education in this state.

This bill would prescribe criteria for the disclosure of the names and addresses of alumni of the California State University and the University of California. The bill would require that these names and addresses of alumni be disclosed only to provide those persons with informational materials relating to the university and its programs and activities; to provide those persons, or the trustees or the regents, and the alumni associations with beneficial commercial opportunities; or to promote and support the educational mission of the university, the trustees or the regents, or the alumni associations.

The bill would authorize this disclosure only if the trustees or regents, or the alumni associations, have a contractual agreement with

a commercial entity that maintains control over this data that requires the commercial entity to maintain the confidentiality of the names and addresses of the alumni, *that requires that the respective universities retain the right to approve or reject any purpose for which the private information is to be used by the commercial entity*, and that prohibits the commercial entity from using the information for any purposes other than those described, and the disclosure of alumni names and addresses does not include the names and addresses of alumni who have directed the trustees or regents, or an alumni association, not to disclose their names or addresses.

The bill would require the respective universities to obtain consent in accordance with a specified provision of the California Financial Information Privacy Act before alumni names and addresses could be disclosed.

The bill would apply to the University of California only to the extent that the regents act, by resolution, to make it applicable.

The bill would specify that its provisions would be repealed as of January 1, 2011.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 5 (commencing with Section 89090) is
2 added to Chapter 1 of Part 55 of the Education Code, to read:

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Article 5. Alumni

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6 89090. (a) The trustees and alumni associations may
7 distribute the names and addresses of alumni of the California
8 State University in order to accomplish any or all of the
9 following:

10 (1) To provide those persons with informational materials
11 relating to the university and its programs and activities.

12 (2) To provide those persons, the trustees, and the alumni
13 associations with commercial opportunities that provide a benefit
14 to those persons, or to the trustees or the alumni associations.

15 (3) To promote and support the educational mission of the
16 university, the trustees, or the alumni associations.

(b) The disclosures authorized in subdivision (a) shall be permitted only if ~~both~~ all of the following requirements are met:

(1) The trustees or the alumni associations have a contractual agreement with a commercial entity that maintains control over this data that requires the commercial entity to maintain the confidentiality of the names and addresses of the alumni, *that requires that the California State University retain the right to approve or reject any purpose for which the private information is to be used by the commercial entity*, and that prohibits the commercial entity from using the information for any purposes other than those described in subdivision (a).

(2) *The California State University uses a form, statement, or writing meeting the requirements of Section 4054.6 of the Financial Code to obtain consent to disclose the name and address of each alumnus whose name and address it proposes to disclose.*

(3) The disclosure of alumni names and addresses does not include the names and addresses of alumni who, *pursuant to paragraph (2) or in another manner*, have directed the trustees or an alumni association not to disclose their names or addresses.

(4) *No information regarding either of the following is disclosed:*

(A) *Any current students of the California State University.*

(B) *Any alumnus who, as a student at a campus of the California State University, indicated that, pursuant to the Family Educational Rights and Privacy Act, he or she did not wish his or her directory information to be disclosed.*

(c) *This section shall not be construed to authorize the release of any Social Security numbers.*

89090.5. *This article shall remain in effect only until January 1, 2011, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2011, deletes or extends that date.*

SEC. 2. Article 4 (commencing with Section 92630) is added to Chapter 6 of Part 57 of the Education Code, to read:

Article 4. Alumni

92630. (a) The regents and alumni associations may distribute the names and addresses of alumni of the University of California in order to accomplish any or all of the following:

(1) To provide those persons with informational materials relating to the university and its programs and activities.

(2) To provide those persons, the regents, and the alumni associations with commercial opportunities that provide a benefit to those persons, or to the regents or the alumni associations.

(3) To promote and support the educational mission of the university, the regents, or the alumni associations.

(b) The disclosures authorized in subdivision (a) shall be permitted only if ~~both~~ all of the following requirements are met:

(1) The regents or the alumni associations have a contractual agreement with a commercial entity that maintains control over this data that requires the commercial entity to maintain the confidentiality of the names and addresses of the alumni, *that requires that the University of California retain the right to approve or reject any purpose for which the private information is to be used by the commercial entity*, and that prohibits the commercial entity from using the information for any purposes other than those described in subdivision (a).

(2) *The University of California uses a form, statement, or writing meeting the requirements of Section 4054.6 of the Financial Code to obtain consent to disclose the name and address of each alumnus whose name and address it proposes to disclose.*

(3) The disclosure of alumni names and addresses does not include the names and addresses of alumni who, *pursuant to paragraph (2) or in another manner*, have directed the regents or an alumni association not to disclose their names or addresses.

(4) *No information regarding either of the following is disclosed:*

(A) *Any current students of the University of California.*

(B) *Any alumnus who, as a student of a campus of the University of California, indicated that, pursuant to the Family Educational Rights and Privacy Act, he or she did not wish his or her directory information to be disclosed.*

1 (c) *This section shall not be construed to authorize the release*
2 *of any Social Security numbers.*

3 92630.5. This article shall apply to the University of
4 California only to the extent that the regents act, by resolution, to
5 make it applicable.

6 92630.9. *This article shall remain in effect only until January*
7 *1, 2011, and as of that date is repealed, unless a later enacted*
8 *statute, that is enacted before January 1, 2011, deletes or extends*
9 *that date.*

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